

a first detector for receiving the transmitted light and providing a first output signal for particles tagged to emit light below said predetermined wavelength,

a second detector for receiving the reflected light and providing a second output signal for particles tagged to emit light above said predetermined wavelength.

36. A particle analyzing apparatus as in claim 35 in which said predetermined wavelength is 620 nm, said light below said predetermined wavelength is 580 nm, and above said predetermined wavelength is 675 nm.

37. A particle analyzing apparatus as in claim 35 including a filter interposed between the beam splitter and each detector for passing light at 580 nm and 675 nm, respectively.

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#### REMARKS

Applicant is surprised to receive a requirement for restriction of the claims elected in Response to the requirement for restriction, dated July 3, 2002.

Applicant had elected all claims falling in a single class 422 and a single subclass.

Applicant submits that the several combinations are generally claimed, claim 1, and that the requirement for further restriction should be withdrawn.

Furthermore, the inventions are all in the same class and subclass and do not require a different search.

Should the examiner disagree with the foregoing, applicant elects to prosecute claims 1 - 11 and newly added claims 34-37, dependent from elected claim 1.

Favorable action is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this communication to our Deposit Account No. 50-2319 (Order No. A-69516/AJT).

Respectfully submitted,

  
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